
IN THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

RYAN DILLON-CAPPS

Plaintiff-Appellant,

vs.

OHANA GROWTH PARTNERS, LLC *et al*

Defendants-Appellees.

No. **25-1162**

On Appeal from the U.S. District Court
Northern District of Maryland
No. 1:24-CV-3744

EMERGENCY MOTION FOR REVIEW BY A SINGLE JUDGE

1 COMES NOW, Plaintiff-Appellant Ryan Dillon-Capps, pursuant to Federal Rule of
Appellate Procedure 27(c) and Fourth Circuit Local Rule 27(f), and respectfully moves this
Court to assign a single judge to review and decide the pending Emergency Motion for
Injunctive Relief Pending Appeal. In support of this motion, Plaintiff-Appellant states as follows:

I. BASIS FOR SINGLE-JUDGE REVIEW

2 This case presents an urgent matter requiring immediate judicial intervention. The
Emergency Motion for Injunctive Relief Pending Appeal seeks relief from ongoing and
escalating financial, medical, and legal harm resulting from the Appellee's continued violations
of the Family and Medical Leave Act (FMLA), Americans with Disabilities Act (ADA), and
Maryland Wage Payment and Collection Law (MWPCCL).

3 The Clerk's Office was notified on Thursday, February 22, 2025, of the intent to file this
emergency motion, and the motion was formally filed on Monday, February 24, 2025.

4 Ohana Growth Partners, LLC's general counsel, Jay Lenrow, was provided notice of the
filing via email at jay.lenrow@ohanagp.com. At 9:48 AM on Monday, February 24, 2025,
Plaintiff-Appellant called Jay Lenrow, who led Plaintiff-Appellant to believe that he would
provide a response that same day regarding the request for single-judge review. However, no

response was received. At 5:45 PM, Plaintiff-Appellant emailed Jay Lenrow a second time to confirm whether Ohana Growth Partners, LLC would consent or object to the request for single-judge review. No response was received.

5 Ohana Growth Partners, LLC's continued failure to engage in meaningful discussions necessitates this Court's intervention without an agreement from both parties.

6 Plaintiff-Appellant is suffering ongoing financial devastation, loss of medical benefits, and career harm. Every day that injunctive relief is delayed exacerbates the irreparable injuries identified in the Emergency Motion. The nature of these injuries—including wage withholding, loss of medical care, and inability to sustain basic living expenses—meets the threshold for emergency judicial intervention.

7 Fourth Circuit Local Rule 27(f) permits a single judge to decide motions when urgency or necessity so requires. Given the severe and immediate consequences of continued delay, single-judge review is the most appropriate mechanism for resolving the emergency motion expeditiously.

8 Plaintiff-Appellant respectfully requests that the motion be assigned to Judge James Andrew Wynn, whose judicial record demonstrates a strong understanding of employee protections under the FMLA and ADA.

II. II. RELIEF REQUESTED

9 WHEREFORE, Plaintiff-Appellant Ryan Dillon-Capps respectfully requests that the Court:

1. Assign a single judge to review and decide the pending Emergency Motion for Injunctive Relief Pending Appeal;

2. Expedite consideration of this matter due to the ongoing irreparable harm suffered by Plaintiff-Appellant; and
3. Grant such further relief as this Court deems just and proper.

RESPECTFULLY SUBMITTED

February 24, 2025

/s/ Ryan Dillon-Capps
Ryan Dillon-Capps

1334 Maple Avenue
Essex, Maryland 21221
ryan@mxt3.com
703-303-1113

CERTIFICATE OF SERVICE

I certify that on February 24, 2025, the foregoing document was served to Jay Lenrow, General Counsel for Ohana Growth Partners, LLC, via email at jay.lenrow@ohanagp.com.

February 24, 2025

/s/ Ryan Dillon-Capps
Ryan Dillon-Capps

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Essex, Maryland 21221
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